

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

DONNA M. PERROTTI, as	:	CIVIL ACTION
Executrix of the Estate of KELLY	:	
ANN DENNY STOOPS, deceased,	:	
Plaintiff	:	
	:	
vs.	:	NO. 17-2994
	:	
ERIC R. RITTENHOUSE, MD, et al.,	:	
Defendants	:	

ORDER

AND NOW, this 5th day of October, 2017, upon consideration of the defendants' motions to dismiss for lack of jurisdiction (Documents #6 and 10), and the plaintiff's responses thereto (Documents #13 and 14), IT IS HEREBY ORDERED that the motions are GRANTED.¹

IT IS FURTHER ORDERED that this action is DISMISSED without prejudice to allow the plaintiff to bring her claims in the Court of Common Pleas of Lehigh County pursuant to 42 Pa.C.S. § 5103.

BY THE COURT:

/s/ Lawrence F. Stengel
LAWRENCE F. STENGEL, C. J.

¹ In addition to moving to dismiss the plaintiff's claims for lack of jurisdiction, the defendants moved, in the alternative, to dismiss the plaintiff's claim for punitive damages. Because this matter is being dismissed for lack of subject matter jurisdiction, I will decline to exercise supplemental jurisdiction under 28 U.S.C. § 1367(c)(3) and not reach the defendants' motions to dismiss the plaintiff's claim for punitive damages. All claims set forth in the plaintiff's Complaint are hereby dismissed without prejudice for lack of subject matter jurisdiction to allow the plaintiff to refile her Complaint in the Court of Common Pleas.